

EDWARD H. KUBO, JR. # 2499
United States Attorney
District of Hawaii

RONALD G. JOHNSON # 4532
Violent Crimes Section Chief

MARSHALL H. SILVERBERG # 5111
Assistant U.S. Attorney
Room 6-100, PJKK Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
Email: marshall.silverberg@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUL 07 2005

at 10 o'clock and 15 min. 11
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00029 HG
)	
Plaintiff,)	FIRST SUPERSEDING INDICTMENT
)	
vs.)	Counts 1 & 3: 18 U.S.C. §§
)	922(g)(1) and 924(e)
PRINCE TARPLEY, also known as)	Count 2: 18 U.S.C. §§
Scott Tarpley and Larry Bennett,)	922(g)(3) and 924(e)
)	Count 4: 21 U.S.C. §§
Defendant.)	841(a)(1) and 841(b)(1)(A)
)	

FIRST SUPERSEDING INDICTMENT

COUNT 1

(18 U.S.C. §§ 922(g)(1), 924(e))

The Grand Jury charges that:

On or about November 5, 2004, in the District of Hawaii, the defendant PRINCE TARPLEY, also known as Scott Tarpley and Larry Bennett, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce ammunition, to wit, four rounds of Winchester .380 caliber ammunition, one round of Federal .380 caliber ammunition, and two rounds of Aguila .380 caliber ammunition, with all such ammunition having been manufactured outside Hawaii and transported at some earlier point in interstate commerce to Hawaii.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

COUNT 2

(18 U.S.C. §§ 922(g)(3), 924(e))

The Grand Jury further charges that:

On or about November 5, 2004, in the District of Hawaii, the defendant PRINCE TARPLEY, also known as Scott Tarpley and Larry Bennett, then being an unlawful user of a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting commerce ammunition, to wit, four rounds of Winchester .380 caliber ammunition, one round of Federal .380 caliber ammunition, and two rounds of Aguila .380 caliber ammunition, with all such ammunition having

been manufactured outside Hawaii and transported at some earlier point in interstate commerce to Hawaii.

All in violation of Title 18, United States Code, Sections 922(g)(3) and 924(e).

COUNT 3

(18 U.S.C. §§ 922(g)(1), 924(e))

The Grand Jury charges that:

On a date unknown to the Grand Jury but at some time approximately between July 2004 and September 2004, in the District of Hawaii, the defendant PRINCE TARPLEY, also known as Scott Tarpley and Larry Bennett, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce a .380 caliber firearm, with such firearm having been manufactured outside Hawaii and transported at some earlier point in interstate commerce to Hawaii.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

COUNT 4

(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(A))

The Grand Jury further charges:

On a date unknown to the Grand Jury but at some time approximately between July 2004 and September 2004, in the District of Hawaii, defendant PRINCE TARPLEY, also known as Scott Tarpley and Larry Bennett, did knowingly and intentionally distribute fifty grams or more of methamphetamine, its salts,

isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) & 841(b)(1)(A)).

A Fact to be Proven at Sentencing

At the time the defendant PRINCE TARPLEY, also known as Scott Tarpley and Larry Bennett, committed the offenses charged above in Counts 1, 2, and 3, he had at least three prior "violent felony" convictions, as that term is defined in Title 18, United States Code, Section 924(e)(2)(B), and is now an armed career criminal within the meaning of Title 18, United States Code, Section 924(e).

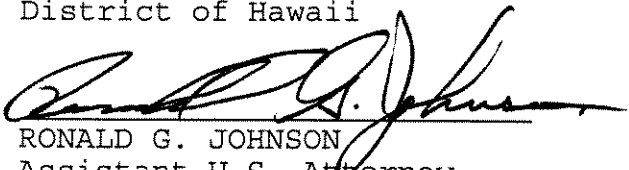
DATED: July 7, 2005, at Honolulu, Hawaii.

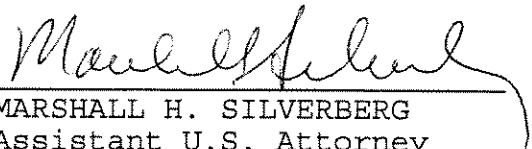
A TRUE BILL

/S/

FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii


RONALD G. JOHNSON
Assistant U.S. Attorney


MARSHALL H. SILVERBERG
Assistant U.S. Attorney

UNITED STATES v. PRINCE TARPLEY
Cr. No. 05-00029 HG (First Superseding Indictment)